



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Ordinance No. 1640 Entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Chapter 17.74 Of The Lodi Municipal Code By Adding Thereto Section 17.74.080, Relating To Administrative Deviations Fee"

**MEETING DATE:** October 2, 1996

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1640.

**BACKGROUND INFORMATION:** Ordinance No. 1640 entitled, "An Ordinance of the City Council Of The City Of Lodi Amending Chapter 17.74 Of The Lodi Municipal Code By Adding Thereto Section 17.74.080, Relating To Administrative Deviations Fee" was introduced at the regular City Council meeting of September 18, 1996.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

**FUNDING:** None required.

  
Jennifer M. Perrin  
City Clerk

Attachment

APPROVED: \_\_\_\_\_

H. Dixon Flynn -- City Manager

ORDINANCE NO. 1640

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
AMENDING CHAPTER 17.74 OF THE LODI MUNICIPAL CODE  
BY ADDING THERETO SECTION 17.74.080, RELATING TO  
ADMINISTRATIVE DEVIATIONS FEE

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Chapter 17.74 - Administrative Deviations - is hereby amended by adding thereto a new Section 17.74.080, relating to a fee for processing Administrative Deviations to read as follows:

Section 17.74.080 - Administrative Deviations Fee:

The filing of an application for administrative deviation with the Community Development Director shall be accompanied by the payment of a filing fee as set and established from time to time by resolution of the City Council. No part of such filing fee is returnable.

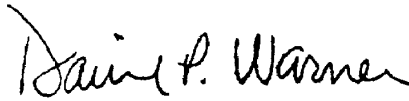
SECTION 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.


SECTION 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 2nd day of October, 1996



DAVID P. WARNER  
Mayor

Attest:



JENNIFER M. PERRIN  
City Clerk

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State of California  
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1640 was introduced at a regular meeting of the City Council of the City of Lodi held September 18, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held October 2, 1996 by the following vote:


Ayes:	Council Members - Mann, Pennino, Sieglock and Warner (Mayor)
Noes;	Council Members - Davenport
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1640 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN  
City Clerk

Approved as to Form:



RANDALL A. HAYS  
City Attorney